

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

2004 NOV 14 P 4:05  
Civil Action No. 04-CV-12249-DPW

HARVARD REAL ESTATE-ALLSTON, INC.

Plaintiff,

v.

KMART CORPORATION, KMART STORE 9424,

Defendant.

U.S. DISTRICT COURT  
DISTRICT OF MASS.


) STIPULATION TO EXTEND  
) DATE TO ANSWER DISCOVERY  
) PROPOUNDED BY PLAINTIFF  
) TO DEFENDANT  
)  
)  
)

The Plaintiff, Harvard Real Estate-Allston, Inc, and the Defendant, Kmart Corporation, Kmart Store 9424, by their attorneys, hereby stipulate and agree that the Defendant shall have until and including November 26, 2004 to answer the discovery previously propounded by the Plaintiff, as follows:

F.A.F.  
W.R.M.

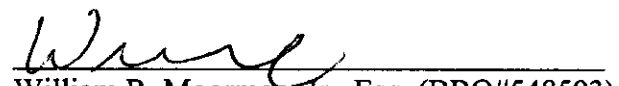
1. Plaintiff's Interrogatories to Defendant Kmart Corporation, Kmart Store 9424;
2. Plaintiff's Requests for Production of Documents to Defendant Kmart Corporation, Kmart Store 9424;
3. Plaintiff's Requests for Admissions to Defendant Kmart Corporation, Kmart Store 9424.

Respectfully submitted,  
Plaintiff,  
Harvard Real Estate Allston-Inc.  
By its attorneys,

  
Frank A. Flynn, Esq. (BBO# 551668)  
Randolph C. English, Esq. (BBO# 628647)  
Downing & Flynn  
85 Devonshire Street, Suite 1000  
Boston, MA 02109  
(617) 720-3535

DATED: October 29, 2004

Respectfully submitted,  
Defendant,  
Kmart Corporation, Kmart Store 9424  
By its attorneys,

  
William R. Moorman, Jr., Esq. (BBO#548593)  
Kathleen A. Rahbany, Esq. (BBO# 654322)  
Craig and Macauley Professional Corporation  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, MA 02210  
(617) 367-9500